

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:11-CR-00032-RLV**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
CHARLES A. DAVIS,)	
)	
Defendant.)	
_____)	

THIS MATTER is before the Court on the Government’s Motion in Opposition to Defendant’s Repeated Frivolous Filings. (Docs. 29, 49.) Therein, the Government requests that the Court order that Defendant cease filing UCC Financing Statements, Administrative Judgments, and Foreign Judgments; that Defendant cease filing frivolous motions with no legal basis; and that the United States need not respond to Defendant’s filings unless informed by the Court that responses are merited.

Defendant Davis, charged with filing false tax returns for years 1996–2000 and 2004–2008, in violation of 26 U.S.C. § 7206(1), and with corruptly endeavoring to impede the Internal Revenue Service, in violation of 26 U.S.C. § 7212(a), has filed an exceptional number of frivolous and largely repetitive notices and other documents. In his latest filings, Defendant has included a number of documents believed by the Government to be filings made against the United States as part of some effort to escape prosecution. (Doc. 49 at 2.)

As the Government notes, pro se litigants do not have an absolute and unconditional right of access to the courts in order to prosecute frivolous, malicious, abusive, or vexatious motions. *In re Vincent*, 105 F.3d 943 (4th Cir. 1997). (Doc. 49 at 3.)

IT IS, THEREFORE, ORDERED that the Government's Motion (Doc. 49) be **GRANTED** in part and **DENIED** in part. Defendant shall not file UCC Statements, Administrative Judgments, Foreign Judgments, or a judgment of any kind whatsoever, however denominated, against the United States, Assistant United States Attorney Jenny Grus Sugar, or any other attorney, federal court personnel, or law enforcement officer associated with this case. As to any other documents Defendant may choose to file, the Government is not required to respond absent notification from this Court.

Signed: November 16, 2011

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

